

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS EUGENE GRAY,

Plaintiff,

v.

WARDEN, et al.,

Defendants.

No. 1:23-cv-01297 GSA (PC)

SECOND ORDER DIRECTING PLAINTIFF  
TO FILE NOTICE OF CURRENT ADDRESS  
AND TO CONFIRM DESIRE TO CONTINUE  
TO PROSECUTE CASE

PLAINTIFF'S NOTICE AND  
CONFIRMATION DUE IN SEVEN DAYS

ORDER DIRECTING CLERK OF COURT TO  
MAIL ORDER TO PLAINTIFF'S MULE  
CREEK STATE PRISON ADDRESS ON  
DOCKET AND TO CALIFORNIA STATE  
PRISON – LOS ANGELES COUNTY

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

For the reasons stated below, Plaintiff will be ordered to file a notice of current address with the Court and confirm that he continues to have an interest in prosecuting this case. He will be given seven days to comply with this order.

I. RELEVANT BACKGROUND

On March 12, 2025, the Court issued a minute order which directed Plaintiff to file notice of current address. See ECF No. 7. Plaintiff was given seven days to comply . See id.

1 More than seven days have passed and Plaintiff has not responded to the Court's order,  
2 nor has he requested an extension of time to do so. Plaintiff has not responded to the Court's  
3 order in any way. In addition, the Court takes judicial notice of the fact that the minute order was  
4 not returned to it marked "undeliverable."

5 II. DISCUSSION

6 Under normal circumstances, the Court would recommend that this matter be dismissed  
7 for failure to prosecute and/or for failure to obey a court order as Plaintiff failed to respond to the  
8 Court's March 12, 2025, minute order. However, a quick search conducted sua sponte by the  
9 Court on the California Department of Corrections and Rehabilitation's ("CDCR") website  
10 indicates that Plaintiff is no longer incarcerated at Mule Creek State Prison. It appears instead  
11 that he is now incarcerated at California State Prison – Los Angeles County. See  
12 <https://ciris.mt.cdcr.ca.gov/results?lastName=gray&middleName=eugene&firstName=thomas>  
13 (last visited 4/22/25).

14 The Court notes for the record that it is Plaintiff's responsibility to keep the Court  
15 informed of his address at all times. See Local Rule 183(b). The Court is not obligated to  
16 attempt to determine any litigant's address. However, given that it did so in this case, once again,  
17 as in its March 2025 minute order, the Court states the following: This matter is at the screening  
18 stage of the proceedings. However, given that a significant amount of time has passed since this  
19 matter was filed, it is possible that Plaintiff no longer has an interest in prosecuting this case. In  
20 addition, despite the fact that the Court has discovered that Plaintiff's address has changed since  
21 he filed his complaint, consistent with Local Rule 183(b), Plaintiff will need to file a formal  
22 "Notice of Change of Address" with the Court.

23 For these reasons, the Clerk of Court will be directed to serve Plaintiff at both his Mule  
24 Creek State Prison address that he currently has listed on the docket, as well as at the California  
25 State Prison – Los Angeles County mailing address. Plaintiff will be ordered to file a Notice of  
26 Change of Address with the Court. In addition, he will be directed to inform the Court whether  
27 he still wishes to prosecute this action. Plaintiff shall have seven days from the date of this order  
28 to comply fully with it.

1 Accordingly, IT IS HEREBY ORDERED that within seven days from the date of this  
2 order, Plaintiff shall:

- 3 1. FILE a Notice of Change of Address with the Court, and  
4 2. INFORM the Court whether he still wishes to prosecute this case.

5 **Plaintiff is cautioned that failure to comply with this order within the time allotted**  
6 **may result in a recommendation that this case be dismissed.**

7 IT IS FURTHER ORDERED that the Clerk of Court shall:

8 1. MAIL a copy of this order BOTH to the Mule Creek State Prison address that Plaintiff  
9 currently has listed on the docket in this case AND to the mailing address that the Court normally  
10 uses to mail orders to inmates at California State Prison – Los Angeles County. The mailings  
11 should also include Plaintiff's prison inmate ID number next to his name.

12 2. Should the Clerk's Office not have an address that it normally uses to mail orders to  
13 inmates at California State Prison – Los Angeles County, it shall use the following mailing  
14 address and include Plaintiff's prison inmate ID number next to his name:

15 CSP – Los Angeles County  
16 PO BOX 8457  
17 Lancaster, CA 93539-8457

18  
19 IT IS SO ORDERED.

20 Dated: April 22, 2025

21 /s/ Gary S. Austin  
22 UNITED STATES MAGISTRATE JUDGE  
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